AO 91 (Rev. 08/09) Criminal Complaint

FILED
MAY 22 2017
CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY ____ DEPUTY

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America
v.

Jose Roberto SANCHEZ

Defendant(s)

Case No. EP-17-mj-1914-RFC

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 21, 2017 in the county of El Paso in the Western District of Texas, the defendant(s) violated:

Code Section	*Offense Description*
21 USC 841 (a) (1)	Knowingly and Intentionally possesses with the intent to distribute approximately 5.32 kilograms (gross weight) of methamphetamine, a Schedule I controlled substance.
21 USC 952 (a)	Knowingly and Intentionally import into the United States from the Republic of Mexico, approximately 5.32 kilograms (gross weight) of methamphetamine, a Schedule I controlled substance.

This criminal complaint is based on these facts:

See Affidavit

☑ Continued on the attached sheet.

Complainant's signature

Pedro Pichardo, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 05/22/2017

Judge's signature

City and state: El Paso, Texas

Robert F. Castaneda - U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

On May 21, 2017, Jose Roberto SANCHEZ applied for entry into the United States (U.S.) from the Republic of Mexico at the Ysleta Port of Entry (POE), El Paso, Texas. SANCHEZ was the driver and Juan Eduardo TARIN was the passenger of a blue 2013 Honda CRV, bearing Texas plates BTS8660.

At primary, Customs & Border Protection Officer Tarango asked SANCHEZ if he was bringing any fruits, meats, plants, weapons, narcotics or currency over ten thousand dollars that he wanted to declare. SANCHEZ stated that he was not bringing anything from Mexico and he had nothing to declare. Officer Tarango queried the license plate, TX BTS8660, on the Honda CRV and came back as a positive match for smuggling narcotics. Officer Tarango referred SANCHEZ and the vehicle to the secondary inspection area. Officer Tarango noticed that as soon as he told SANCHEZ that he had been selected for secondary inspection, SANCHEZ opened his eyes wide open and he gave a nervous blank stare. Officer Tarango also noticed that SANCHEZ began to stutter as he asked, "which lane do I go to?"

At secondary, CBP Officer Olivas questioned SANCHEZ regarding the purpose of his trip. SANCHEZ stated they crossed into Juarez the day before at approximately 2:00 pm to spent time with some girlfriends and were now headed to his house in El Paso. Officer Olivas questioned SANCHEZ regarding ownership of the vehicle. SANCHEZ stated he had owned the vehicle for over a year. SANCHEZ stated he had not done any mechanical repairs to the vehicle. SANCHEZ stated that he does not lend the vehicle to anyone. SANCHEZ stated that no one else has access to the vehicle, which he always keeps locked up. SANCHEZ stated he was not bringing anything illegal from Mexico into the U.S. that he wanted to declare. Officer Olivas noticed that during questioning, TARIN was staring at him, hardly blinking his eyes and moving from side to side. Officer Olivas asked SANCHEZ how much money he had in his possession and if he could count the money in front of him. Officer Olivas noticed that SANCHEZ tried handing him the money. Officer Olivas told SANCHEZ to count the money in front of him. Officer Olivas noticed that SANCHEZ's hands were shaking uncontrollably as he counted the money.

A Canine Enforcement Officer's Narcotics Detector Dog was requested and alerted to the presence of a controlled substance near the passenger side dashboard of the Honda CRV driven by SANCHEZ.

Further inspection revealed ten (10) bundles of a white crystal like substance located inside the dashboard and quarter panels of the vehicle. The white crystal like substance field-tested positive for the properties of methamphetamine. The total gross weight was 5.32 kilograms/11.7 pounds.

Homeland Security Investigations Special Agents Pichardo and Miller arrived at Ysleta POE. SA Miller read SANCHEZ his Miranda Statement of Rights in English. SANCHEZ acknowledged in writing he understood his rights and agreed to make a statement without the presence of an attorney.

SANCHEZ stated he was offered a job crossing marijuana from Mexico into the U.S. SANCHEZ stated that he agreed to smuggle marijuana from Mexico into the U.S. for $2,000 using his own Honda CRV. SANCHEZ stated that he was the owner of the vehicle and had owned the vehicle for over a year. SANCHEZ stated that they went drinking to several bars in Juarez. SANCHEZ stated that sometime in the afternoon an unknown man took the vehicle for several hours and loaded it with drugs. SANCHEZ stated he was instructed to cross his Honda CRV loaded with marijuana from Mexico into the U.S. through the Ysleta Port of Entry. SANCHEZ stated that he was then to drive the Honda CRV to his house on John McEnroe and park it in the garage. SANCHEZ stated that he was then supposed to wait for a phone call with further instructions. SANCHEZ stated that he agreed to smuggle drugs in his Honda CRV, because he thought it would be an easy way to make money. SANCHEZ stated that he did not know that there was methamphetamine in the vehicle. SANCHEZ stated that he had never crossed a vehicle loaded with drugs before.